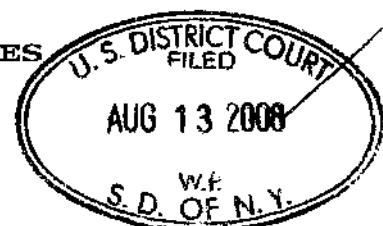


GREGG J. BORRI LAW OFFICES

61 BROADWAY, SUITE 2126
NEW YORK, N.Y. 10006TELEPHONE (212) 980-8866
FACSIMILE (212) 208-0969

August 12, 2008

Via Facsimile

Honorable Lisa Margaret Smith
United States District Court
Southern District of New York
300 Quarropas Street, Room 428
White Plains, New York 10601

Re: **Kimberly A. Carpenter, et al. v. Marie Pupke, et al.**
USDC, SDNY - 07 CIV 5689 (UA/LMS)

Dear Judge Smith:

In furtherance of our call to your Honor's chambers this afternoon, counsel for all parties request an extension of the current discovery schedule. Specifically, counsel request that the discovery schedule be amended to provide as follows:

1. November 14, 2008, to complete party discovery;
2. November 14, 2008, parties to disclose identity and info re experts;
3. December 12, 2008, to complete other non-party discovery;
4. January 14, 2009, parties to simultaneously exchange expert reports;
5. February 13, 2009, parties to complete expert depositions; and
6. February 27, 2009, parties to serve supplemental expert reports.

The parties have made significant progress in discovery, including third-party discovery. However, due to the number of parties to be deposed and scheduling conflicts, the parties need additional time to complete discovery.

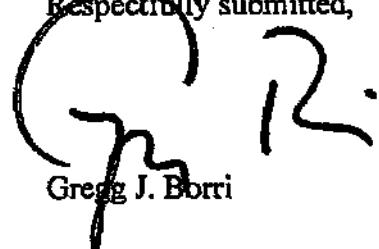
If your Honor desires, I will arrange a telephone conference to explain in more detail the status of discovery and the reasons for the requested extension.

Motion granted. SO ORDERED
Lisa Margaret Smith
AUG 12 - 08

Deemed motion
letter

Hon. Lisa Margaret Smith
August 12, 2008
Page 2 of 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "GJ B".

Gregg J. Borri

GJB:kp

cc: Vincent E. Bauer, Esq. (by email)